Appl. No.:   09/764,526
Amdt. dated February 24, 2004
Reply to Office action of November 26, 2003

REMARKS/ARGUMENTS

Receipt of the Office action dated November 26, 2003 is hereby acknowledged. In that action, the Examiner: 1) rejection claims 1 and 7 as allegedly anticipated by Boehm (U.S. Pat. No. 6,457,170); 2) rejected claim 2 as allegedly obvious over Boehm in view of Evans (U.S. Pat. No. 5,805,899); 3) rejected claims 9 and 10 as allegedly obvious over Boehm and Evans in further view of Hunt (U.S. Pat. No. 6,499,137); 4) rejected claim 8 as allegedly obvious over Boehm in view of Leblang (U.S. Pat. No. 5,649,200); and 5) rejected claims 3-6 and 11-13 as allegedly obvious over Boehm in view of an article title "Software Engineering" by Stephen R. Schach (1990) and in further view of a Unix reference title "Separate Compilation and the UNIX make Program" by Gary Shute (1999).

With this Response, Applicant amends claims 1-3, 7 and 9-13. Further, Applicant adds new claims 14-17. Reconsideration is respectfully requested.

I.   CLAIM REJECTIONS

A.   Claim 1

Claim 1 was rejected as allegedly anticipated by Boehm. Applicant amends claim 1 in several respects. First, because claiming "a library" does not preclude multiple libraries, Applicant has changed the "at least one library" terminology to read only "library" to make the claim easier to read. Next, the Applicant has changed the last limitation to indicate that the version function is included in the executable program to preclude an argument that all functions of the library must be included in the executable program. These are not a narrowing amendments. Further, Applicant amends claim 1 to more clearly indicate that version information and/or product information is contained in the name of a function. Applicant makes this amendment to more clearly define over the system of Boehm where source and object file naming convention contains versioning in formation. Likewise, Applicant makes this amendment to more clearly define over the system of Evans where a separate "mapfile" containing versioning information is used.

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The Boehm system appears to disclose a system where version information comes in the form of file names of the various files, as well as some character strings embedded in object files.

> **The present invention utilizes a source and object file naming convention and identification scheme to facilitate file identification and searching the network caches and creating the links to cached source and object files. Source files are cached under their filenames and version numbers. Object files are cached under their filenames.** along with a random string of characters, which allows multiple versions of the same basic object file to simultaneously exist in the cache. **Object files also contain an embedded character string that identifies all source files, along with their version numbers, that were used to generate the object file.**

Boehm, Col. 4, lines 28-38 (emphasis added). Evans appears to teach a "mapfile" containing version information.

> In the described embodiment of the invention, **the global symbols and version names associated with each version are defined in a "mapfile" generated by a human being. The mapfile is input to the link-editor at build time along with one, or more, relocatable (compiled) objects to create a versioned object.** By default, at build time, when an application is link-edited with a versioned object that contains versioning information, a dependency is established in the application to those versions that include the global symbols referenced by the application.

Evans, Col. 2, lines 25-34 (emphasis added). It is unclear in both Boehm and Evans whether the version information finds its way to the executable file.

Claim 1, by contrast, recites, "creating a version source file, **the version source file containing a version function whose name comprises at least one of version information and product information of the library... ."** Neither Boehm nor Evans teach that version information should be contained in the name of a function. Claim 1 further recites, "building the executable program to include the library **such that the version function whose name comprises at least one of version information and product information of the library is combined into the executable program."** Even if it is assumed that the version information of Boehm and/or Evans finds its way into the executable program (which Applicant

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does not admit), the references (alone or in combination) still fail to teach that version information should be in the form of a function name.

Based on the foregoing, Applicant respectfully submits that claim 1, and all claims which depend from claim 1 (claims 2-13), should be allowed. Applicant amends claims 2-3, 7 and 9-13 to remove the "step of" terminology to ensure that these claims are construed as step-plus-function claims under Section 112, sixth paragraph. Applicant further amends claims 2 and 3 to reflect the amendments to claim 1.

II.   NEW CLAIMS

With this Response, Applicant adds new claims 14-17. These claims find support in original claim 1 and in the Specification page 5. No new matter is presented in these amendments.

III.   CONCLUSION

Applicant respectfully requests reconsideration and allowance of the pending claims. If the Examiner feels that a telephone conference would expedite the resolution of this case, he is respectfully requested to contact the undersigned.
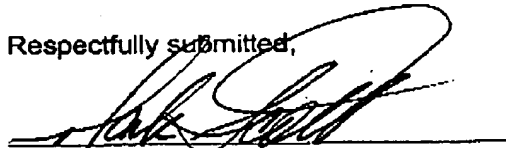
In the course of the foregoing discussions, Applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art which have yet to be raised, but which may be raised in the future.

If any fees or time extensions are inadvertently omitted or if any fees have been overpaid, please appropriately charge or credit those fees to Hewlett-Packard Company Deposit Account Number 08-2025 and enter any time extension(s) necessary to prevent this case from being abandoned.

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    Applicant respectfully requests that a timely Notice of Allowance be issued

in this case.

Respectfully submitted,

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